

REMARKS

Applicants acknowledge the indication of the allowability of the subject matter of Claims 20-43 and 46, as set forth at page 4 of the Office Action. In particular, the latter claims would be allowable if rewritten in independent form. Nevertheless, for the reasons set forth hereinafter, Applicants respectfully submit that these claims are allowable in their present dependent form.

Claims 11, 12, 15, 16, 44 and 45 have been rejected under 35 U.S.C. § 102(e) as anticipated by Norton et al (U.S. Patent No. 6,568,754), while Claims 13, 14 and 17-19 have been rejected under 35 U.S.C. § 103(a) as unpatentable over Norton et al in view of Andreasson et al (U.S. Patent No. 6,779,839). However, as discussed in greater detail hereinafter, Applicants respectfully submit that all claims which remain of record in this application distinguish over the cited references, whether considered separately or in combination.

The present invention is directed to a headrest for a vehicle seat, which headrest includes a center pad and two side pads adjoining the center pad to the left and right thereof. The headrest according to the invention is adjustable between a "supporting position" (for which the seat occupant would be in a normal sitting position, such as if he or she were driving, reading, etc.) and a "rest position" (in which a seat occupant might be resting his or her head against the headrest unit). For this purpose, each of the side pads is pivotable between a

rearward “supporting” position, in which it is laterally aligned with the center pad, and a swiveled-forward “rest” position, in which it provides lateral support for the seat occupants head.

According to a feature of the invention, the center pad has a variable pad hardness, which hardness varies as a function of the angular position of the side pads. With the side pads in the swiveled-back supporting position the center pad has a hardness which is greater than that when the side pads are in the swiveled-forward resting position. For this purpose, the center pad and side pads are configured such that they cooperate to vary the hardness of the center pad as a function of the angular position of the side pads.

The Norton et al reference, on the other hand, discloses an expandable redeployable automotive headrest in which internal bladders can be inflated in response to the detection of an imminent rear end collision. For this purpose, the headrest includes a base mounted to the seat back in a conventional manner, a pad connected to the base for movement between a rearward predeployment position and a forward deployed position and inflatable bladders located between the base and the pad. When the bladders are inflated, they expand, urging the pad forward, and simultaneously expand laterally outward, enlarging the overall width of the headrest. (See Abstract, lines 7-19; Column 2, lines 20-33.)

The headrest according to Norton et al also includes “first and second laterally moveable wings which are slidingly mounted to the base”. As the bladders are inflated, they urge the wings outwardly toward the left and right, thereby widening the headrest to decrease the likelihood that the occupant’s head will glance or roll off to the side of the headrest after contact. (See, Column 2, lines 44-50.) Thus, at Column 4, lines 39-45, the disclosure states that:

“the bladders 42 inflate rapidly, urging the wings 38 laterally outward along their respective tracks 40 to their deployed positions, and simultaneously urging the pad 32 forward. When the wings 38 are deployed, the bladders 42 fill the space between the wings 38 and extend laterally outward beyond the pre-deployment perimeter of the headrest 14.”

As can be seen from the foregoing brief description, the present invention as defined in independent Claims 11 and 44 differs significantly from the Norton et al headrest configuration. In particular, Norton et al fails to teach or disclose the provision of side panels which are “pivotable about a swivel axis, from a swiveled-back supporting position into a swiveled-forward resting position”. (Claim 11; Claim 44 is similarly limited.) In addition, Norton et al also fails to teach or suggest that the center pad has a hardness which varies with angular position of the side pads, as recited in both Claims 11 and 44.

Since the Norton et al disclosure is very clear that when the bladders 42 inflate, the wings 38 are deployed “laterally outward along their respective tracks 40”, there is no pivoting of the side pads about a swivel axis. The latter omission is significant in that it is the pivoting of the side pads 22, 23 of the present invention, which causes the stiffening of the center pad 30, as illustrated in Figures 3 and 4, and as discussed in the specification at page 8, line 11 through page 9, line 7.

The Andreasson et al reference, on the other hand, has been cited only as disclosing a headrest which is adjustable relative to the backrest, about a transverse-running swivel axis disposed in its upper region, facing away from the vehicle seat. Accordingly, Andreasson fails to provide any disclosure of those features of the invention as discussed above, which are missing from Norton et al, and the combination of Norton et al and Andreasson et al does not yield the present invention, as defined in independent Claims 11 and 44.

In light of the foregoing remarks, this application should be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Serial No. 10/506,775
Amendment Dated: December 13, 2006
Reply to Office Action Mailed: August 25, 2006
Attorney Docket No. 095309.55314US

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.55314US).

Respectfully submitted,

A handwritten signature in cursive script that reads "Gary R. Edwards". The signature is written in dark ink and is positioned above a horizontal line.

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ABSTRACT OF THE DISCLOSURE

~~The invention relates to a~~ A vehicle seat ~~having~~ has a headrest (2), ~~which~~
~~headrest has~~ with a center pad [(21)] and two side pads (22, 23) that are
laterally hinged to the center pad. The side pads are swivellable (21) ~~and able to~~
~~be swiveled~~ forward into a resting position and ~~swiveled~~ back into a supporting
position. ~~In order to offer optimal support to the head in the upright and also in~~
~~the laid back head carriage position, the~~ The center pad [(21)] has a variable
pad hardness, ~~so that the center pad (21) has~~ with a firmer pad hardness in the
supporting position than in the resting position.

~~(Figure 2)~~